

REMARKS

This application has been reviewed in light of the Office Action dated January 26, 2005. Claims 7 and 9 remain presented for examination. Claim 7 has been amended, and Claims 8 and 10 have been cancelled without prejudice or disclaimer of subject matter. Claim 7 is in independent form. Favorable reconsideration is requested.

In the Office Action, Claims 7-9 were rejected under the judicially-created doctrine of obvious-type double patenting as being unpatentable over Claims 1 and 4 of U.S. Patent 6,661,179 (*Aoki et al.*), issued on the parent of this application. Also in the Office Action, Claim 10 was objected to as being dependent on a rejected base claim. The Office Action indicated that Claim 10 would be allowable if it were to be rewritten in independent form, with no change in scope.

Claim 10 has been canceled, and the subject matter formerly recited in that claim has been incorporated by amendment into Claim 7.<sup>1/</sup> Because Claim 7 has been amended to incorporate subject matter deemed allowable in the Office Action, Claim 7 is now believed to be in condition for allowance, as is Claim 9, owing to its dependency on Claim 7.

This Amendment After Final Rejection is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Rejection, as an earnest

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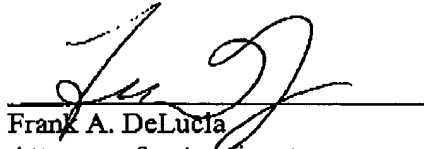
<sup>1/</sup> The recitations of cancelled Claim 8 also have been incorporated into Claim 7, although it is believed that Claim 7 would have been patentable even without those limitations of Claim 8.

effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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